

**REMARKS / DISCUSSION OF ISSUES**

The present amendment is submitted in response to the Office Action mailed October 2, 2008. In view of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

***Status of the Claims***

Claims 1-15 remain in this application. Claims 1-10 have been indicated as being allowable. Claim 11 has been amended. Claims 12-15 have been added.

***Allowable Subject Matter***

Applicants wish to thank the Examiner for indicating that Claims 1-10 are allowable.

***Rejections under 112, Second Paragraph***

In the Office Action, claim 11 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Claim 11 has been amended in a manner which is believed to overcome the rejection. Specifically, Claim 11 has been amended to remove the objectionable recitation making the claim indefinite and new claims 12-15 have been added for further clarification, as described immediately below.

***New Claims***

New claim 12 recites (1) a high frequency signal waveform is preferably embodied as a DC-controllable channel bit-stream transmitted over a channel.

New claim 13 recites the DC-controllable channel bit-stream is preferably encoded by means of a method of DC-control at an encoder whereby a running digital sum (RDS) is modified such that it is not based on the exact channel bits, but on intermediate channel bits that are obtained as threshold decisions from a synthetic high frequency signal waveform.

New claim 14 recites the synthetic high frequency signal waveform is generated based on one of a nominal modulation transfer function (MTF) or its impulse response function (IRF) of the channel.

New claim 15 recites a method of DC-control at an encoder comprising the steps of:

(a) receiving data representative of a nominal modulation transfer function or impulse response function of said channel, (b) generating a synthetic high frequency signal waveform using said nominal modulation transfer function or impulse response function, (c) performing threshold detection in respect of a synthetic high frequency signal waveform to produce intermediate channel bits, and (d) computing a running digital sum using said intermediate channel bits.

### Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-15 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-945-6000.

Respectfully submitted,



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